

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

WILLARD SMITH,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. CIV-11-85-M
	)	
DAVID PARKER, Warden,	)	
	)	
Respondent.	)	

**ORDER**

On April 21, 2011, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the Petition for a Writ of Habeas Corpus be denied. The parties were advised of their right to object to the Report and Recommendation by May 11, 2011, and on this date, petitioner filed his objection.

In his objection, petitioner generally criticizes the Magistrate Judge’s review of the record and his determinations. Specifically, petitioner asserts: (1) there is factual support for his claim of jury tampering including specific evidence, e.g., names of jurors, contents of statements; (2) the Magistrate Judge confuses cause and prejudice; and (3) an affidavit in reference to a “security lock” was not favorably considered. Having carefully reviewed petitioner’s objections and the court file in this matter, the Court finds, for the reasons set forth in the Report and Recommendation, that petitioner’s petition for writ of habeas corpus and related motions should be denied.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on April 21, 2011;
- (2) DENIES the Petition for Writ of Habeas Corpus; and
- (3) ORDERS that judgment in favor of respondent issue forthwith.

**IT IS SO ORDERED this 12<sup>th</sup> day of May, 2011.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE